

APPENDIX E

MERCURY BATTERIES
 (except Button Cells)
 Information as of July 31, 1994

JURISDICTION	STATUS OF LEGISLATION	EFFECTIVE DATE	NOTES (see separate page for explanation)
FEDERAL	Pending	1-1-97	1(a)
ARKANSAS	Passed	1-1-94	2(a), 4(a)
CONNECTICUT	Passed	1-1-92	3(a), 4(a), 6(a,b)
FLORIDA	Passed	1-1-94	1(c), 2(b[ii]), 3(a,b,g), 4(a)
IOWA	Passed	7-1-96	1(c), 3(b,c,e), 6(a,b)
MAINE	Passed	1-1-94	2(a,b[i]), 3(b,c,d,e,f), 4(a)
MARYLAND	Passed	7-1-94	1(b,c), 2(b[i]), 3(b,c,d,e,f), 4(a), 6(a,b)
MASSACHUSETTS	Pending	??	1(c), 3(b,c), 4(a,b)
MICHIGAN	Passed	1-1-98	5, 6(a)
	Pending	7-1-95	3(b,c,h), 4(a,b)
MINNESOTA	Passed	2-1-92	1(b), 3(b,c,d), 4(a), 6(a)
NEW HAMPSHIRE	Passed	1-1-93 (Dept. has not yet issued rules)	2(a)
NEW JERSEY	Passed	1-20-93	1(c), 2(b[i]), 3(b,c,d,e,f,h), 4(a)
RHODE ISLAND	Passed	1-1-94	2(a), 3(a,b,c,e), 4(a)
VERMONT	Passed	1-1-93	3(a,b,c,e), 4(a)
WISCONSIN	Passed	7-1-94	1(c), 2(b[ii]), 3(b,c,g), 4(a)

Information in Appendix E provided by Raymond Balfour, Rayovac Corporation

- 1: BAN ON SALE OF PRODUCT
 - (a) Absolute ban (no exemptions possible).
 - (b) Banned generally, but state agency authorized to grant exemptions (conditioned on: showing of need; collection requirements; manufacturers responsibilities; etc.)
 - (c) Banned only if manufacturer fails to meet collection and other responsibilities.
- 2: STATE REGULATORY AGENCIES
 - (a) State agency authorized or required to issued regulations defining collection procedures, responsibilities, etc.
 - (b) State statute generally defines collection procedures, responsibilities, etc.
 - [i] Manufacturers must get approval of collection plans from state agency prior to implementation.
 - [ii] Prior approval of implementation plans not required, but manufacturer must notify state agency of plans.
- 3: MANUFACTURER RESPONSIBILITIES
 - (a) Accept used batteries.
 - (b) Identify collection site having necessary treatment and disposal permits.
 - (c) Inform purchasers about:
 - [i] Prohibition against disposal in solid, medical waste.
 - [ii] Collection site available to user.
 - [iii] Telephone number user can call for more information.
 - (d) Pay for consumer (user) education efforts.
 - (e) Pay for transportation and disposal of used batteries.
 - (f) Get approval of collection plans, etc. from state agency prior to implementation.
 - (g) Notify state agency of collection plans, etc. (approval not required).
 - (h) Manufacturer must submit periodic reports to state agency.
- 4: USER RESPONSIBILITIES
 - (a) Don't dispose of batteries in solid or medical waste.
 - (b) Pay for proper disposal.
- 5: DEPOSITS
 - (a) \$2/battery required at time of sale, unless trade-ins of used batteries made at that time.
- 6: OTHER
 - (a) Legislation does not distinguish between button cells and larger sizes of mercury batteries.
 - (b) "Retailer," "wholesaler," "supplier," "all participants in the stream of commerce," etc. mentioned in legislation, may have responsibilities.

APPENDIX E

ALKALINE BATTERIES

STATE	EFFECTIVE DATE, 250 PPM (0.025%) MERCURY	EFFECTIVE DATE, NO-MERCURY FORMULA
Federal (pending)	----	1-1-96 (mfg. date)
Arkansas	----	1-1-96 (mfg. date)
California	1-1-94 (mfg. date)	1-1-96 (mfg. date)
Connecticut	1-1-92 (mfg. date)	--
Florida	7-1-93 (sale date)	1-1-96 (sale date, rtl.)
Iowa	7-1-93 (sale date)	1-1-96 (sale date, rtl.)
Maine	1-1-94 (sale date)	1-1-96 (mfg. date)
Massachusetts (pending)	----	1-1-95 (sale date, rtl.)
Michigan (pending)	----	7-1-95 (sale date, mfg.)
Minnesota	2-1-92 (sale date, mfg.)	1-1-96 (sale date, mfg.)
New Hampshire	1-1-93 (mfg. date)	1-1-96 (sale date, mfg.)
New Jersey	1-1-92 (mfg. date)	1-1-96 (mfg. date)
New York	1-1-92 (mfg. date)	--
Oregon	1-1-92 (mfg. date)	--
Rhode Island	1-1-92 (mfg. date)	--
Vermont	2-1-92 (mfg. date)	1-1-96 (sale date, rtl.)
Wisconsin	----	1-1-96 (mfg. date)

NOTES:

- Information as of August 18, 1994.
- State laws banning the sale of alkaline batteries containing more than allowable mercury content may be either of two types:
 - Effective date refers to manufacture. Batteries made prior to the effective date may be sold after the effective date, even if they exceed allowable mercury content. ("Mfg. date")
 - Effective date refers to sale. Batteries containing more than allowable mercury content may not be sold, regardless of when manufactured. But the legislation may refer either to the date of sale by the battery manufacturer ("sale date, mfg.") or by the retailer ("sale date, rtl. ").
- Mercury limitations do not apply to alkaline button cells.

APPENDIX E

ZINC CARBON BATTERIES

STATE	EFFECTIVE DATE, NO-MERCURY FORMULA
Federal (pending)	1-1-95 (mfg. date)
Arkansas	1-1-94 (mfg. date)
California	1-1-94 (mfg. date)
Connecticut	1-1-93 (mfg. date)
Florida	1-1-96 (sale date)
Maine	1-1-93 (sale date)
Michigan (pending)	1-1-95 (mfg. date)
New Hampshire	1-1-93 (mfg. date)
New Jersey	1-1-92 (mfg. date)
New York	1-1-93 (mfg. date)
Wisconsin	7-1-94 (mfg. date)

NOTES:

1. Information as of August 18, 1994.
2. State laws banning the sale of zinc carbon batteries containing more than allowable mercury content may be either of two types:
 - Effective date refers to manufacture. Batteries made prior to the effective date may be sold after the effective date, even if they exceed allowable mercury content. ("Mfg. date")
 - Effective date refers to retail sales. Batteries containing more than allowable mercury content may not be sold at retail, regardless of when manufactured. ("Sale date")

APPENDIX E CONSUMER MERCURY BUTTON CELL BATTERIES
Information as of July 31, 1994

JURISDICTION	STATUS OF LEGISLATION	EFFECTIVE DATE		NOTE(S)
		BAN	COLLECTION	
FEDERAL	Pending	1-1-95	--	--
ARKANSAS	Passed	1-1-94	--	--
CALIFORNIA	Passed	1-1-94	--	--
CONNECTICUT	Passed	--	1-1-92	2(a), (b)
FLORIDA	Passed	10-1-93	--	--
IOWA	Passed	--	7-1-96	1, 2(a)
MAINE	Passed	1-1-93	--	--
MARYLAND	Passed	--	7-1-94	1
MASSACHUSETTS	Pending	??	--	--
MICHIGAN	Passed	--	1-1-98	3
	Pending	7-1-95	--	--
MINNESOTA	Passed	2-1-92	--	--
NEW HAMPSHIRE	Passed	--	1-1-93	2(b)
NEW JERSEY	Passed	1-1-94	--	--
RHODE ISLAND	Passed	1-1-93	--	--
VERMONT	Passed	1-1-93	--	--

Note 1: Battery manufacturers financially responsible for collection, transportation, disposal, consumer education, etc. Failure to meet these requirements results in a sales ban for the manufacturer's mercury button cells.

Note 2: Battery manufacturer not expressly responsible, but:
(a) Retailer required to collect;
(b) State regulatory agency to issue regulations.

Note 3: \$2/battery required at time of sale, unless trade-ins of used batteries made at that time.